

Appl. No. 10/789,827
Amdt. Dated June 29, 2005
Reply to Office action of June 6, 2005

REMARKS

This is a full and timely response to the non-final Office action mailed June 6, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-20 are pending in this application, with Claims 1, 17, and 20 being the independent claims. Claim 1 has been amended, and Claims 6, 8-12, and 17-20 have been withdrawn. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

Claims 1-5, 7, and 13-15 were rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by U.S. Patent No. 6,349,899 to Ralston ("Ralston"). This rejection is respectfully traversed.

Claim 1 relates to an inlet door assembly for reducing noise from an auxiliary power unit (APU) contained within an aircraft having an aft end and has been amended to now recite a door rotationally mounted on the duct and configured to selectively rotate between at least a first position, in which at least a portion of the door deflects the APU noise in a first direction toward the aircraft aft end, and a second position, in which at least a portion of the door deflects the APU noise in a second direction into the duct flow passage.

Ralston teaches an air inlet mechanism having a housing and a door structure that is particularly well adapted for supplying a ram airflow to an auxiliary power unit (APU) of an aircraft. See Abstract. The inlet door is configured to be placed in a closed position, a ram air inlet position, and a fully opened position. See col. 3, lines 39-41. Placement of the inlet door in the closed position closes the duct cavity and inhibits the flow of air therethrough, placement of the inlet door in the ram air inlet position permits the door to form a scoop that directs air from the air stream adjacent the fuselage of the aircraft, and placement of the inlet door in the fully opened position retracts the inlet door into the duct cavity to minimize the obstruction of the duct cavity. None of these three positions allow the door to "deflect APU noise in a first direction toward the aircraft aft end," as recited in newly amended claim 1.

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A claim can only be anticipated if each and every element recited in the claim is disclosed in a reference, either explicitly or impliedly. Accordingly, as Ralston fails to disclose, either explicitly or inherently, at least the above-noted element of claims 1 and the Examiner has failed to provide such an explicit or inherent disclosure of this element, it is respectfully submitted that the rejection of these claims and the claims that depend therefrom (e.g. claims 2-5, 7, and 13-15) is improper and the Applicants request withdrawal of the § 102(b) rejection.

In light of the arguments set forth above, the Applicants respectfully request reconsideration and withdrawal of these rejections

Conclusion

Based on the above, independent Claim 1 is patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Jun. 29. 2005 9:04AM INGRASSIA FISHER & LORENZ PC
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No. 0806 P. 10

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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